

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1437

93RD GENERAL ASSEMBLY

Reported from the Committee on Aging, Families, Mental and Public Health, April 12, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4502S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 190.350, 190.353, 190.355, 192.400, 192.410, and 192.420, RSMo, and to enact in lieu thereof five new sections relating to poison and radiation control.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 190.350, 190.353, 190.355, 192.400, 192.410, and 192.420, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 190.353, 190.355, 192.400, 192.410, and 192.420, to read as follows:

190.353. 1. The [advisory committee on poison control] **department of health and senior services** shall:

(1) Provide for the establishment of a "Missouri Regional Poison Information Center" capable of providing the services described in subsection [3] 2 of this section based on the best demonstrated ability to perform such services as evidenced by past performance of such services and by current certification as a regional poison control center by the American Association of Poison Control Centers[;]. **The department shall, in conjunction with local health agencies and health care providers, determine the region to be served by the center; and**

(2) Provide for the establishment of a "Missouri Poison Control Network" to consist of poison prevention and treatment centers throughout the state of Missouri, representing all federally designated emergency medical services areas[;

(3) Establish policies for data collection at poison treatment centers and procedures for the medical treatment of victims of poisoning and overdose;

(4) Develop a systematic plan for the statewide education of the general

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 public and health care professionals on the control and proper use of poisonous
18 substances and the treatment of poison victims;

19 (5) Cooperate with the Missouri poison information center in systems
20 evaluation and in review of morbidity and mortality rates among poison victims;
21 and

22 (6) Fund educational programs at area poison treatment centers for the
23 general public and for health care professionals.

24 2. The committee shall submit an annual report to the presiding officers
25 of each house of the general assembly and the department of health and senior
26 services concerning the administration of the Missouri poison control network,
27 and shall cooperate with the department of health and senior services for the
28 purpose of providing data for health planning].

29 [3.] 2. The Missouri poison information center shall provide:

30 (1) A twenty-four hour toll-free telephone referral and information service
31 for the general public and health care professionals, supervised by a physician
32 who is board-certified in the field of clinical toxicology and staffed by licensed
33 professionals who are certified as information specialists or whose certification
34 is pending, according to the requirements of the American Association of Poison
35 Control Centers;

36 (2) Design and coordination of appropriate public and professional
37 education services in the area of poison treatment and prevention;

38 (3) Plans for cooperation between the Missouri poison control network and
39 health and emergency service agencies and associations involved in poison control
40 activities;

41 (4) Program evaluation and systematic data collection on poison exposures
42 in cooperation with the department of health and senior services; and

43 (5) Coordination of poison control, treatment, and education activities of
44 poison prevention and treatment centers.

190.355. The [advisory committee on poison control may contract for
2 services from such private persons, agencies, and corporations as are necessary
3 to fully effectuate the purposes of sections 190.350 to 190.355, and] **Missouri**
4 **regional poison information center** shall fully utilize existing institutions
5 and services for the control and treatment of poisons.

192.400. The following words and terms as used in sections 192.400 to
2 192.490 mean:

3 (1) ["Committee on radiation control", a subcommittee of the Missouri

4 atomic energy commission;

5 (2)] "Radiation", any or all of the following forms of ionizing radiation:
6 gamma and X rays, alpha and beta particles, high speed electrons, neutrons,
7 protons and other nuclear or atomic particles or rays, and other radiant energies
8 including, by way of extension but not of limitation, radium, strontium 90, cesium
9 137 and cobalt 60, but radiation as herein defined does not include sound or radio
10 waves or visible, infrared or ultraviolet light;

11 [(3)] (2) "Radiation machine", any device that produces radiation;

12 [(4)] (3) "Unnecessary radiation", the use of radiation as herein defined
13 in such a manner as to be hazardous to the health of the people or the industrial
14 or agricultural potentials of the state.

192.410. The department of health and senior services[, with the guidance
2 and advice of the committee on radiation,] shall:

3 (1) Develop comprehensive policies and programs for the evaluation and
4 determination of hazards associated with the use of radiation and for their
5 abatement or elimination;

6 (2) Employ, and, if necessary, train the personnel needed to carry out the
7 provisions of sections 192.400 to 192.490;

8 (3) Advise, consult and cooperate with other agencies of this state, the
9 federal government, other states, and interstate agencies, and with affected
10 groups, political subdivisions and industries in furtherance of the purposes of
11 sections 192.400 to 192.490;

12 (4) Accept and administer loans, grants or other funds or gifts from the
13 federal government and from other sources, public or private, for carrying out any
14 of its functions;

15 (5) Encourage, participate in or conduct studies, investigations, training,
16 research and demonstrations relating to the control of radiation hazards, the
17 measurement of radiation, the effects on health of exposure to radiation and
18 related problems as it may deem necessary or advisable for the discharge of its
19 duties under sections 192.400 to 192.490 or for the protection of public health;

20 (6) Collect and disseminate information relating to the determination and
21 control of radiation exposure and hazards;

22 (7) Review and approve plans and specifications for radiation sources
23 submitted pursuant to rules and regulations promulgated under sections 192.400
24 to 192.490;

25 (8) Inspect radiation sources, their shielding and immediate surroundings

26 and records for the determination of any possible radiation hazard and may
27 examine any records or memoranda pertaining to the question of radiation
28 machines and the use of radioactive materials.

192.420. The department of health and senior services shall administer
2 sections 192.400 to 192.490 and may[, with the approval of the committee on
3 radiation control,] formulate and promulgate rules on radiation, including
4 registration of radiation sources and machines, as may be necessary to prohibit
5 and prevent unnecessary radiation. Rules shall be promulgated pursuant to the
6 provisions of this section and chapter 536, RSMo. No rule or portion of a rule
7 promulgated under the authority of sections 192.400 to 192.490 shall become
8 effective unless it has been promulgated pursuant to the provisions of section
9 536.024, RSMo.

[190.350. 1. The "Advisory Committee on Poison Control"
2 is hereby created within the department of health and senior
3 services.

4 2. The committee shall consist of nine members, as follows:

5 (1) The director of the department of health and senior
6 services or his designee;

7 (2) One health care professional with demonstrated ability
8 and experience in the area of poison from each of the seven
9 federally designated emergency medical services areas in this
10 state. Such members shall be appointed by the governing body of
11 each area, or, in cases where no governing body has been formed,
12 by the director of the department of health and senior services, and
13 shall serve terms of four years; and

14 (3) The director of the Missouri poison information center
15 established pursuant to section 190.353.

16 3. The committee shall meet within ten days after
17 September 28, 1985, and organize by selecting a chairman and vice
18 chairman. A majority of the members shall constitute a quorum.

19 4. The members of the committee shall serve without
20 compensation, but shall be reimbursed for actual and necessary
21 expenses incurred in the performance of their official duties.]

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